

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:22-cr-00089-MR-WCM**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>ALEJANDRO REYES-CRUZ,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Defendant’s “Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2), and the Approve USSG Amendments 781<sup>1</sup> and the 821, and for an Appointment of Counsel” [Doc. 28].

The Defendant Alejandro Reyes-Cruz pled guilty to one count of illegal reentry, in violation of 8 U.S.C. § 1326(a), and one count of possession of firearms and ammunition by an illegal alien, in violation of 18 U.S.C. §

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<sup>1</sup> While the Defendant references “Amendment 781” in the title of his Motion, it appears that this is a typographical error, as the body of the motion references Amendment 782. [See Doc. 28 at 2]. In any event, both Amendment 781 (amending the aggravated assault guideline) and Amendment 782 (amending the guidelines applicable to drug trafficking offenses) are inapplicable to him.

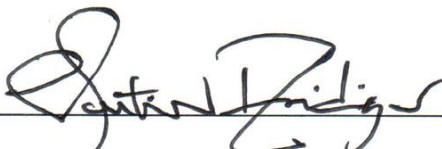
922(g)(5). [Doc. 9]. The Court sentenced him on April 13, 2023 to a total term of 46 months' imprisonment. [Doc. 17].

The Defendant previously moved on two occasions for a reduction of his sentence pursuant to Amendments 782 and 821 to the United States Sentencing Guidelines, as well as for the appointment of counsel to assist him in seeking such relief. [Docs. 19, 20, 23, 24]. The Court denied these motions by Orders entered on January 16, 2024, and April 1, 2024, respectively. [Docs. 21, 26]. For the reasons previously stated in these Orders, the Defendant's present motion for a reduction in his sentence and for the appointment of counsel is denied.

The Defendant has now filed three motions for a reduction of sentence, all based on the same grounds. The Defendant is cautioned that future filings raising these same grounds will be summarily stricken.

**IT IS, THEREFORE, ORDERED** that the Defendant's "Motion for Reduction of Sentence" [Doc. 28] is **DENIED**.

**IT IS SO ORDERED.** Signed: April 22, 2024

  
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Martin Reidinger  
Chief United States District Judge

